

REMARKS/ARGUMENTS

These Remarks are responsive to the Final Office Action mailed October 5, 2005 ("Final Office Action"). Applicants respectfully request reconsideration of the rejections of claims 1-2, 4-7, 9-19 and 21 for at least the following reasons.

STATUS OF THE CLAIMS

Claims 1, 2, 4-7, 9-19 and 21 are currently pending in the present application. Claims 1, 7, 12 and 14 are amended by this response. Claims 1, 2, 4-7 and 9-13 are rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Hatakeyama in view of Gourlay. Claims 14-19 and 21 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Hatakeyama and Gourlay in view of Chen. Reconsideration is respectfully requested.

REJECTIONS OF CLAIMS 1, 2, 4-7 and 9-13 UNDER 35 U.S.C. § 103(a)

Claims 1, 2, 4-7 and 9-13 are rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Hatakeyama in view of Gourlay. Independent claims 1, 7, 12 and 14 have been amended to recite the features of "the content further comprises a descriptor that comprises an ONIX code" Neither Hatakeyama, Gourlay nor their combination disclose at least this feature.

Applicants respectfully submit that one of ordinary skill in the art at the time the invention was made would not have been motivated to combine the disclosures of Hatakeyama and Gourlay. Hatakeyama is directed to "selecting an optimum path in a network." Col. 1, lines 8-11. On the other hand, Gourlay is related to content routing service protocol to provide distributed Layer 7 switching in a computer network. Col. 1, lines 6-10. Applicants respectfully submit that one of ordinary skill in the art of path optimization would not look to a disclosure related to content routing protocol to find path optimization solutions. For at least the above reasons, Applicants respectfully

submit that the rejections of claims 1, 2, 4-7 and 9-13 are improper and request that they be withdrawn.

REJECTIONS OF CLAIMS 14-19 and 21 UNDER 35 U.S.C. § 103(a)

Claims 14-19 and 21 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Hatakeyama and Gourlay in view of Chen. Claims 14-19 and 21 contain the same features discussed above in connection with claims 1, 2, 4-7 and 9-13 and, therefore, the same arguments regarding the deficiencies of Hatakeyama and Gourlay apply. Chen is relied upon to allegedly disclose "a system for propagating of routing update messages to neighboring nodes." Office Action, p. 11. Therefore, Chen fails to repair the deficiencies of Hatakeyama and Gourlay with respect to the above described claim features. Applicants respectfully submit that the rejections of claims 14-19 and 21 are improper for at least these reasons and respectfully request that the rejections be withdrawn.

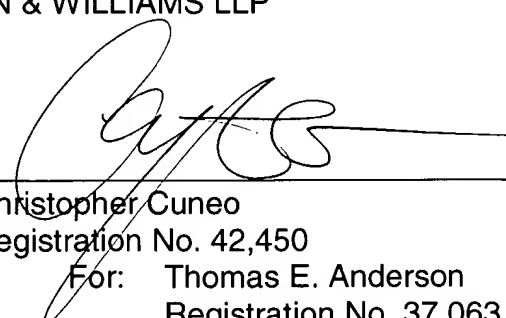
No fee is believed necessary in connection with the filing of this Response. However, if it is determined otherwise, the Commissioner is hereby authorized to charge or credit any difference to the undersigned's Deposit Account No. 50-0206.

Respectfully submitted,

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